

Clifford S. Davidson, OSB No. 125378
csdavidson@swlaw.com
Lea K. Schneider, OSB No. 145154
lschneider@swlaw.com
SNELL & WILMER L.L.P.
601 SW 2nd Avenue, Suite 2000
Portland, Oregon 97204-3229
Telephone: 503.624.6800
Facsimile: 503.624.6888
Attorneys for Defendant Omegle.com LLC

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

S.L., on behalf of minor K.A.,

Plaintiff,

vs.

OMEGLE.COM LLC, an Oregon limited
liability company,

Defendant.

Case No. 1:23-cv-1593

NOTICE OF REMOVAL

DEMAND FOR JURY TRIAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, defendant Omegle.com LLC (“Omegle”) hereby removes to this Court the Circuit Court Case No. 23CV39908, currently pending in Multnomah County Circuit Court (the “State Court Action”).

The basis for removal is as follows:

1. On September 29, 2023, Plaintiff S.L., on behalf of minor K.A. (“Plaintiff”), filed the State Court Action. Plaintiff served Omegle with the Summons and Complaint on October 3, 2023. A copy of the complaint in the State Court Action is attached as Exhibit 1.

2. There is complete diversity of citizenship. Defendant is a limited liability company. A limited liability company is a citizen of each state in which its members are citizens. *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Omegle.com LLC has a single member, who is a citizen of Florida. Although it is not alleged in the Complaint, Plaintiffs' counsel has informed the undersigned that S.L. and K.A. are citizens of a state other than Florida.

3. Plaintiff prays for \$22,000,000, which exceeds \$75,000.

4. The forum-defendant rule does not apply, so the case may be removed. Even though Omegle.com LLC is an Oregon limited liability company, it is a Florida citizen as set forth above.

5. The Portland Division is the proper divisional venue pursuant to 28 U.S.C. § 1441(a) and Local Rule 3-2.

6. Pursuant to 28 U.S.C. § 1446(d), Omegle.com LLC will serve a copy of this notice on Plaintiff through the CM/ECF system, and notify the Multnomah Circuit Court of removal promptly after filing this Notice of Removal.

DEMAND FOR JURY TRIAL

Defendant hereby demands a jury trial on all issues so triable.

DATED this 29th day of October, 2023.

SNELL & WILMER L.L.P.

/s/ Clifford S. Davidson

Clifford S. Davidson, OSB No. 125378

Lea K. Schneider, OSB No. 145154

Attorneys for Defendant Omegle.com LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2023, I caused to be served a full and exact copy of the foregoing **NOTICE OF REMOVAL** on the following by CM/ECF:

Matthew P. Bergman
Glenn S. Draper
Social Media Victims Law Center
600 1st Avenue, Suite 102 – PMB 2383
Seattle, WA 98101
Attorneys for Plaintiff

and by the following indicated method(s):

- ☒ First Class Mail, postage prepaid, deposited in the US mail
- ☐ Hand delivery
- ☐ Facsimile transmission
- ☐ Overnight delivery
- ☐ Email, pursuant to the parties' electronic service agreement
- ☐ Electronic filing notification

Dated: October 29, 2023

/s/ Clifford S. Davidson
Clifford S. Davidson, OSB No. 125378

4880-2104-8456